

### COMPLETE LISTING OF CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### Listing of Claims:

1. (Currently Amended) In a data communications receiver functionally connected to a communications loop to receive a data signal transmitted across the loop by a transmitter, the receiver having a linear equalizer operable to compensate for distortion in the data signal caused by the communications loop and a timing loop for maintaining signal timing between the transmitter and receiver, the timing loop including a phase detector, an improvement comprising a timing equalizer filter functionally positioned before the phase detector of ~~within~~ the timing loop and operating in parallel with and independent of the linear equalizer during a data mode, the timing equalizer filter having fixed coefficients whereby the signal timing controlled by the timing loop can be maintained independently of timing adjustments made in the linear equalizer.
2. (Currently Amended) The improved data communications receiver of claim 1 wherein the timing equalizer filter includes filter coefficients derived from a training mode operation of the linear equalizer.
3. (Original) The improved data communications receiver of claim 1 wherein the timing equalizer filter includes pre-determined filter coefficients based on use with a communications loop of moderate length.

4. (Currently Amended) The improved data communications receiver of claim 1 wherein the timing loop comprises an early-late timing loop, the phase detector having a signal input functionally linked to an output of the timing equalizer filter, a loop filter functionally coupled to an error signal output of the phase detector, and a voltage controlled oscillator functionally positioned between the loop filter and the timing equalizer filter.

5. (Previously Presented) An improved method of acquiring and maintaining signal timing between a data communications transmitter and receiver connected at respective central and remote ends of a communications loop, where the receiver includes a timing loop and a linear equalizer operable to compensate for distortion of a received data signal caused by the communications loop, the improvement comprising the steps of:

a. setting filter coefficients in a timing equalizer filter that is functionally positioned in the timing loop;

b. passing the received data signal through the timing equalizer filter prior to inputting the received data signal to a phase detector portion of the timing loop; and

c. operating the timing equalizer filter within the timing loop in a data path separate from the linear equalizer.

6. (Currently Amended) The method of claim 5 wherein the step of setting the filter coefficients in the timing equalizer filter is performed by copying equalizer coefficients generated in a training mode.

7. (Original) The method of claim 5 wherein the step of setting the filter coefficients in the timing equalizer filter is performed by entering filter coefficients into the timing equalizer filter that are based on predetermined compromise equalizer coefficients corresponding to a communications loop having predicted signal distortion characteristics.
8. (Currently Amended) A method of time locking a receiver to a transmitter in a communications system that sends random digital data signals across a communications loop, where the receiver includes a linear equalizer having adjustable equalizer coefficients and an early-late timing loop adapted to acquire and maintain the time locking, the method comprising functionally positioning a timing equalizer filter in the timing loop and setting filter coefficients in the timing equalizer filter such that operation of the timing loop proceeds independent of the linear equalizer.
9. (Currently Amended) The method of claim 8 wherein the filter coefficients are set in the timing equalizer filter by copying equalizer coefficients generated during a training mode.
10. (Currently Amended) An improved method for acquiring timing in a data communications receiver having a received signal and a linear equalizer, the method comprising the steps of
- a. sampling the received signal to provide a sampled signal;
  - b. equalizing the sampled signal with a timing equalizer filter to provide an equalized signal, the timing equalizer filter having fixed coefficients and

operating functionally within a timing loop and independent from the linear equalizer;

c. phase detecting the equalized signal to provide a phase error signal;  
d. filtering the phase error signal with a loop filter thereby providing a control voltage; and

e. adjusting a voltage controlled oscillator in response to the control voltage whereby the output of the voltage controlled oscillator provides timing for the data communications receiver.

11. (Previously Presented) An apparatus for acquiring timing in a data communications receiver having a received signal and a linear equalizer, the apparatus comprising:

a. a timing equalizer filter functionally coupled to the received signal to provide an equalized signal;

b. a phase detector functionally coupled to the timing equalizer filter and operable to detect a phase difference in the equalized signal and to provide a responsive phase error signal;

c. a loop filter and a voltage-controlled oscillator functionally arranged to generate a timing signal in response to the phase error signal;

d. the timing equalizer filter, phase detector, loop filter and voltage controlled oscillator defining a timing loop path independent from the linear equalizer.

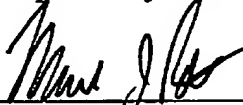
12. (Currently Amended) A data communications receiver for receiving a stream of user data transmitted from a transmitter across a communications loop comprising:

- a. a demodulator adapted to receive and process the user data;
- b. a linear equalizer operably coupled to receive and equalize the output from the demodulator;
- c. a timing loop operable to generate a timing signal to time lock the receiver to the transmitter using timing information derived from the stream of user data; and
- d. a timing equalizer filter with fixed coefficients functionally positioned within the timing loop to operate in parallel with and independently of the linear equalizer when in a data mode and to receive and process data from the demodulator to provide an equalized signal to the timing loop.

Applicant submits that with the foregoing corrections the above-captioned application is now in condition for allowance.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing of this Response to Deposit Account 23-0035.

Respectfully submitted,



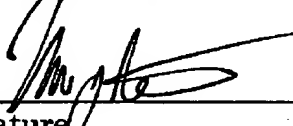
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#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this Response to Notice of Non-Compliant Amendment is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on June 20, 2005.

Mark J. Patterson



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6/20/2005

Date